

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHANE EDWARD JOHNSON,

Defendant.

CR 21–94–BLG–DLC

ORDER

Before the Court is Nicole R. Gallagher’s Unopposed Motion to Withdraw as Counsel of Record for Defendant Shane Edward Johnson. (Doc. 124.) In the motion, Ms. Gallagher requests that the Court allow her to withdraw as counsel of record for Mr. Johnson after Mr. Johnson told her that she was fired. (*Id.* at 1.) Mr. Johnson subsequently filed a motion for appointment of co-counsel (Doc. 130), which the Court granted (Doc. 132). The Court held a hearing on the Motion to Withdraw (Doc. 124) on February 15, 2023.

This Court may, “in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings.” 18 U.S.C. § 3006A(c). Whether a substitution is in the “interests of justice” is, of course, “a context-specific inquiry.” *Martel v. Clair*, 565 U.S. 648, 663 (2012).

At the hearing on this matter, Mr. Johnson stated that he did not understand the representation provided by his counsel. The Court noted that his attorneys have filed a Motion in Limine (Doc. 128), a Motion to Dismiss Counts I and II (Doc. 144), and a Motion to Dismiss Count III (Doc. 146). When asked whether he had anything further he wanted to discuss regarding the motion to withdraw, Mr. Johnson declined to discuss the matter and instead attempted to introduce irrelevant arguments.

Accordingly, IT IS ORDERED that the motion (Doc. 124) is DENIED.

DATED this 15th day of February, 2023.



Dana L. Christensen, District Judge
United States District Court